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Attorneys for Defendant,  
**CAL-REGENT INSURANCE SERVICES CORPORATION**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

CENTURY SURETY COMPANY,	)CASE NO: 13-CV-1488 JM (JMA)
	)
Plaintiffs,	)
	) <b>CAL-REGENT INSURANCE</b>
v.	) <b>SERVICES CORPORATION'S</b>
	) <b>OBJECTION TO CENTURY</b>
CAL-REGENT INSURANCE SERVICES	) <b>SURETY COMPANY'S PRE-TRIAL</b>
CORPORATION and STATE NATIONAL	) <b>DISCLOSURES</b>
INSURANCE COMPANY, INC	)
	)
Defendants.	)
	)Complaint Filed: June 26, 2013
CAL-REGENT INSURANCE SERVICES	)
CORPORATION,	)Judge: Hon. Jeffrey T. Miller
	)
Counterclaimant,	) <b>Pre-Trial Conference: Feb. 19, 2016</b>
v.	)
	)
CENTURY SURETY COMPANY,	)
	)
Counterclaim-Defendant	)

**TO THE COURT, ALL PARTIES, AND THEIR COUNSEL OF RECORD:**

Defendant and Counter-Claimant Cal-Regent submits the following objections to  
Plaintiff's Pre-Trial Disclosures:

**Evidentiary Objections**

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2		
3	Plaintiff's Exh. No. __:	Hearsay; relevance;
4	Automobile Loss Notice (06/27/2008)	foundation.
5	Plaintiff's Exh. No. __:	Hearsay; relevance;
6	July 11, 2008 Denial Letter from Shari Oshima Allan	foundation.
7	Plaintiff's Exh. No. __:	Relevance
8	July 11, 2008 e-mail from Lora Tellefsen to Richard	
9	Nagby	
10	Plaintiff's Exh. No. __:	Relevance
11	July 14, 2008 email from Ron Jacobs to Nagby and	
12	David Cleff	
13	Plaintiff's Exh. No. __:	Relevance
14	July 14, 2008 email exchange between Jacobs and	
15	Nagby	
16	Plaintiff's Exh. No. __:	Foundation
17	Excerpt from State National Policy CR5-16696	
18	Plaintiff's Exh. No. __:	Foundation
19	Excerpt from ISO form CA0005 (10/01)	
20	Plaintiff's Exh. No. __:	Foundation
21	Excerpt from ISO form CA0005 (03/06)	
22	Plaintiff's Exh. No. __:	Relevance
23	General Agency Agreement between Cal-Regent and	
24	State	
25	National	
26	Plaintiff's Exh. No. __:	Relevance
27	Reinsurance Agreement between Cal-Regent, State	
28	National, and	
	Odyssey America Reinsurance Corp.	
	Plaintiff's Exh. No. __:	No objection
	<i>Waldersen v. Sullivan</i> complaint (Dec. 29, 2008)	
	Plaintiff's Exh. No. __:	Relevance; foundation
	January 26, 2009 letter from Robert Moore to Shari	
	Oshima	

1	Plaintiff's Exh. No. ____:	Relevance; foundation
2	February 2, 2009 Denial Letter from Vista Claims Services	
3	Plaintiff's Exh. No. ____:	Relevance; foundation
4	July 27, 2009 Letter from Michael Tarpey to Oshima demanding	
5	\$1,000,000 to settle <i>Waldersen v. Sullivan</i>	
6	Plaintiff's Exh. No. ____:	Relevance; foundation
7	July 27, 2009 Letter from Robert Moore to Oshima demanding	
8	settlement	
9	Plaintiff's Exh. No. ____:	Relevance; foundation
10	July 27, 2009 email from Oshima to Tellefsen	
11	Plaintiff's Exh. No. ____:	Relevance
12	July 30, 2009 email from Tellefsen to Nagby; Cleff and Brett Mishket	
13	Plaintiff's Exh. No. ____:	Relevance
14	July 31, 2009 e-mail from Nagby to Tellefsen	
15	Plaintiff's Exh. No. ____:	No objection
16	July 31, 2009 e-mail from Tellefsen retaining Brian Worthington	
17	Plaintiff's Exh. No. ____:	Relevance; foundation
18	August 5, 2009 Letter from Moore to Tellefsen	
19	Plaintiff's Exh. No. ____:	Relevance; foundation
20	August 6, 2009 email from Tellefsen to Worthington, Nagby and Mishket	
21	Plaintiff's Exh. No. ____:	Foundation
22	August 6, 2009 email from Worthington to Tellefsen, Nagby and Mishket	
23	Plaintiff's Exh. No. ____:	Relevance; foundation
24	August 6, 2009 email from Tellefsen to Worthington	
25	Plaintiff's Exh. No. ____:	Relevance; foundation
26	August 7, 2009 email from Worthington to Tellefsen	
27	Plaintiff's Exh. No. ____:	Relevance; foundation
28	August 7, 2009 email from Worthington to Tellefsen	
	Plaintiff's Exh. No. ____:	Relevance; foundation
	August 10, 2009 email from Tellefsen to Nagby and	

1	Worthington	
2	Plaintiff's Exh. No. __:	Relevance; foundation
3	August 10, 2009 4 emails between Nagby,	
4	Worthington and Tellefsen	
5	Plaintiff's Exh. No. __:	No objection
6	August 10, 2009 Opinion Letter from Worthington to	
7	Tellefsen	
8	Plaintiff's Exh. No. __:	Relevance; foundation
9	August 10, 2009 Letter from Worthington to Moore,	
10	et al.	
11	Plaintiff's Exh. No. __:	Relevance; foundation
12	December 29, 2009 Settlement Agreement in	
13	<i>Waldersen v. Sullivan</i> lawsuit	
14	Plaintiff's Exh. No. __:	Relevance; foundation
15	December 29, 2010 <i>Waldersen v. State National</i>	
16	complaint	
17	Plaintiff's Exh. No. __:	Relevance; foundation
18	January 21, 2011 Letter from Annalaura Miller to	
19	Nagby re <i>Waldersen v. State National</i>	
20	Plaintiff's Exh. No. __:	Relevance; foundation
21	May 16, 2011 email from Bryan Murphy to Nagby re	
22	draft msj	
23	Plaintiff's Exh. No. __:	No objection
24	May 25, 2011, Cal-Regent Application for Century	
25	Surety policy	
26	Plaintiff's Exh. No. __:	Relevance; improper
27	Referral Criteria & Prohibited Classes	opinion
28	Plaintiff's Exh. No. __:	Relevance; foundation
	First Capital Quote	
	Plaintiff's Exh. No. __:	No objection
	Century Surety policy CCP 707046	
	Plaintiff's Exh. No. __:	Relevance; foundation
	August 30, 2011 emails from Nagby to Clarissa	
	Reiman and Tellefsen	
	Plaintiff's Exh. No. __:	Relevance; foundation
	October 12, 2011 Letter from Murphy to Nagby and	
	Tellefsen	

1	Plaintiff's Exh. No. __: April 16, 2012 email from Nagby to Richard Sanjaya	No objection
2	Plaintiff's Exh. No. __: April 17, 2012 emails between Nagby, Sanjaya,	Relevance; foundation
3	Joshua Collins, Laura Gookin, and Anthony Modd	
4	Plaintiff's Exh. No. __: April 19, 2012 email from Nagby to Century Surety	No objection
5	Plaintiff's Exh. No. __: April 20, 2012 email from Modd to Nagby	No objection
6	Plaintiff's Exh. No. __: April 24, 2012 Letter from Reiman to Modd	No objection
7	forwarding the <i>Waldersen v. State National</i> bad faith	
8	complaint and summary judgment pleadings	
9	Plaintiff's Exh. No. __: Century Surety policy CCP 760083	No objection
10	Plaintiff's Exh. No. __: May 31, 2012 Century reservation letter from Modd	No objection
11	to Nagby	
12	Plaintiff's Exh. No. __: August 2, 2012 emails between Modd and Nagby	No objection
13	Plaintiff's Exh. No. __: August 9, 2012 email From Kristin Gatherum to	No objection
14	Nagby	
15	Plaintiff's Exh. No. __: August 20, 2012 email exchange between Modd and	No objection
16	Nagby	
17	Plaintiff's Exh. No. __: August 31, 2012 email from Bruno to Nagby	Relevance; foundation
18	Plaintiff's Exh. No. __: September 18, 2012 email from Bruno to Nagby	Relevance; foundation
19	Plaintiff's Exh. No. __: December 13, 2012 emails between Nagby and Traci	Relevance; foundation
20	McGuire	
21	Plaintiff's Exh. No. __: December 14, 2012 emails between Nagby and	Relevance; foundation
22	McGuire	
23	Plaintiff's Exh. No. __: January 18 13, 2013 email from Nagby to McGuire	Relevance; foundation
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1	Plaintiff's Exh. No. __: January 25, 2013 email from McGuire to Nagby	Relevance; foundation
2	Plaintiff's Exh. No. __: January 28, 2013 email from Nagby to McGuire	Relevance; foundation
3	Plaintiff's Exh. No. __: January 30, 2013 Letter from Michael Gruber to 4 Century Surety	Relevance; foundation
5	Plaintiff's Exh. No. __: February 8, 2013 Letter from Thomas Crouch to 6 Nagby	Relevance; foundation
7	Plaintiff's Exh. No. __: March 12, 2013 Settlement Agreement of <i>Waldersen</i> 8 <i>v. State National and Vista</i>	Relevance; foundation
9	Plaintiff's Exh. No. __: August 1, 2013 <i>State National v. Cal-Regent</i> 10 Complaint	No objection
11	Plaintiff's Exh. No. __: January 29, 2013 Declaration of Richard K. Nagby 12 and attached exhibits from <i>Waldersen v. State</i> 13 <i>National</i> lawsuit	Heresay; Mr. Nagby is not unavailable as a witness.
14	Plaintiff's Exh. No. __: Declaration of Lora Tellefsen and attached exhibits 15 from <i>Waldersen v. State National</i>	Heresay; Ms. Tellefsen is not unavailable as a witness.
16	Plaintiff's Exh. No. __: Traci A. McGuire's Declaration summarizing all 17 attorney fees and expenses Century Surety incurred in 18 the defense of Cal-Regent in the Arizona Arbitration 19 Proceeding with State National, and supporting 20 documentation attached thereto	Improper testimony; Ms. McGuire is an employee of Century Surety and must offer her testimony in live fashion, subject to cross- examination
21	Plaintiff's Exh. No. __: Century Surety Check No. 898639 in the amount of 22 \$2,500,000 issued to State National Insurance 23 Company in settlement of its claims against Cal- Regent.	No objection
24	<b><u>3. Deposition Testimony</u></b> Plaintiff's Exh. No. __: 25 Excerpts from Shari (Oshima) Allan's July 27, 2011 26 deposition in 27 <i>Waldersen v. State National</i> lawsuit, including: pages 28 1, 2, 4:8-20; 11:4-12; 13:20-14:2; 15:22-24; 16:14-	Improper use of deposition testimony; Ms. Oshima is not unavailable as a witness.

17:1;  
 17:14-21; 18:9-18; 25:25-26:8; 40:2-12; 46:13-15;  
 69:5-16; 72:4-  
 14; 90:13-23; 109:18-21; 152:17-25; 153:16-24;  
 157:3-5; 161:14-  
 17.

DATED: February 5, 2016

**GINDER LAW GROUP**

/s/Eric Ginder

\_\_\_\_\_  
 ERIC R. GINDER

Attorneys for Defendant/Counterclaimant,  
 CAL-REGENT INSURANCE SERVICES  
 CORPORATION

**DECLARATION OF SERVICE**

1. I, the undersigned, declare that I am over the age of eighteen years and not a party to the action; I am employed in the County of Orange, California, in which county and within-mentioned mailing occurred; my business address is 120 Tustin Ave., Ste. C-1095, Newport Beach, CA 92663. On the date set forth below I served the following document(s) described as:

--

2. On the following person(s) in this action by placing a true copy thereof enclosed in a sealed envelope addressed as follows

Gregory B. Scher, Esq. WOOLLS & PEER One Wilshire Building 624 South Grand Ave., 22 <sup>nd</sup> Fl Los Angeles, CA 90017 T: 213-629-1600 F: 213-629-1660 <b>BY PERSONAL SERVICE</b>	
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The documents were served by the following means (specify):

3. [ X ]	<b>BY MAIL:</b> I placed a true copy thereof in a separate envelope for each addressee as indicated. It was deposited with the U.S. Postal Service on that same day and addressed to the below-listed parties; I caused such envelope(s) with postage thereon fully prepaid to be placed in the United States mail at Escondido, California. I am readily familiar with the firm's practice of collection and processing correspondence for mailing. It is deposited with the U.S. Postal Service on the same day in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one (1) day after the date of deposit for mailing in the affidavit;
[ ]	<b>BY FACSIMILE.</b> I caused said document to be transmitted by facsimile transmission to the number indicated after the addresses noted above.
[ ]	<b>BY PERSONAL SERVICE.</b> I caused such envelope to be delivered by hand this date to the offices of the address, referenced above.



[ ]	<b>BY UNITED PARCEL SERVICE.</b> I caused such envelope to be delivered to UPS for overnight courier service to the offices of the addressees.
[ x]	<b>BY ELECTRONIC MAIL.</b> I hereby certify that I electronically transmitted the attached documents(s) to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the above-listed CM/ECF registrants.
[ X ]	<b>FEDERAL.</b> I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on Date: **February 5, 2016** at Newport Beach, California.

**LENG CHAO**

(TYPE OR PRINT NAME OF  
DECLARANT)



(SIGNATURE OF DECLARANT)